

# Washington Department of Fish and Wildlife

## NOTICE OF INTENT TO OBTAIN CUSTODY

### VESSEL *Fantasy* with Washington Registration #WN8698NG

The DEPARTMENT OF FISH AND WILDLIFE (WDFW) declared the vessel *Fantasy*, with Washington Registration #WN8698NG, as derelict and abandoned. The vessel location is 17100 Case Rd SW, Rochester, WA 98579.

WDFW, acting as an authorized public entity with the authority granted in RCW 79.100, intends to take custody of the vessel on **January 9<sup>th</sup>, 2022 (Custody Date)**. After taking custody of the vessel, WDFW may use or dispose of it without further notice to the owner.

**In order to keep the vessel, before the Custody Date, the owner must:**

- Get authorization to moor or anchor the vessel in its current location, **or**
- Move it to an anchorage area, moorage facility, or storage location that authorizes the vessel.
- Remove the vessel from the water.

If the owner wants to reclaim the vessel after WDFW has custody, or wants to challenge WDFW's decision to take custody, the owner must file a written appeal with the Pollution Control Hearings Board (PCHB) and serve a copy to WDFW. Addresses are in the boxes below:

<b>Pollution Control Hearings Board</b> (send one original and one copy) <b>Physical address:</b> 1111 Israel Road, Ste. 301 Tumwater, WA 98501 <b>Mailing address:</b> PO Box 40903 Olympia, WA 98504-0903 <b>Phone:</b> 360-664-9160	DEPARTMENT OF FISH AND WILDLIFE Mailing Address: PO Box 43200, Olympia, WA 98504-3200. Physical Address: Natural Resources Building, 1111 Washington Street, Olympia, WA. 360 902-2200
---	--

The appeal must include the following information:

- A copy of this notice or a copy of the notification letter to the owner.
- Your name and address (mailing and legal, if different) and, if applicable, the name and address of your representative.
- A daytime phone number.
- A brief statement why you are appealing.
- A statement of what you want the Pollution Control Hearings Board to do.
- Your signature or that of your representative. This signature certifies that the content of the appeal is true.

See [http://www.eluho.wa.gov/Global/Reader?title=PCHB%20Appeal%20Process&path=Procedure\\_Appeal\\_PCHB](http://www.eluho.wa.gov/Global/Reader?title=PCHB%20Appeal%20Process&path=Procedure_Appeal_PCHB) or call the PCHB at the number above with appeal questions.

The owner may submit the appeal immediately, but the PCHB must receive it no later than **February 7<sup>th</sup>, 2022 (Appeal Date)**. **The owner waives the right to a hearing if the PCHB does not receive an appeal on or before the Appeal Date. The owner is then liable for any costs incurred by WDFW in responding to the vessel.**

These costs may include all administrative costs incurred by WDFW, removal and disposal costs, and costs associated with environmental damages directly or indirectly caused by the vessel. If there is a lawsuit, the successful party may receive reasonable attorneys' fees and costs.

WDFW also may pursue any other remedies available under law. For example, WDFW may take temporary possession of the vessel under the circumstances described in the Revised Code of Washington (RCW) 79.100.040(3). You can find a copy of this law online at <http://apps.leg.wa.gov/RCW/default.aspx?cite=79.100>.

For more information, contact Darric Lowery at WDFW at 360-701-5145 or [darric.lowery@dfw.wa.gov](mailto:darric.lowery@dfw.wa.gov).